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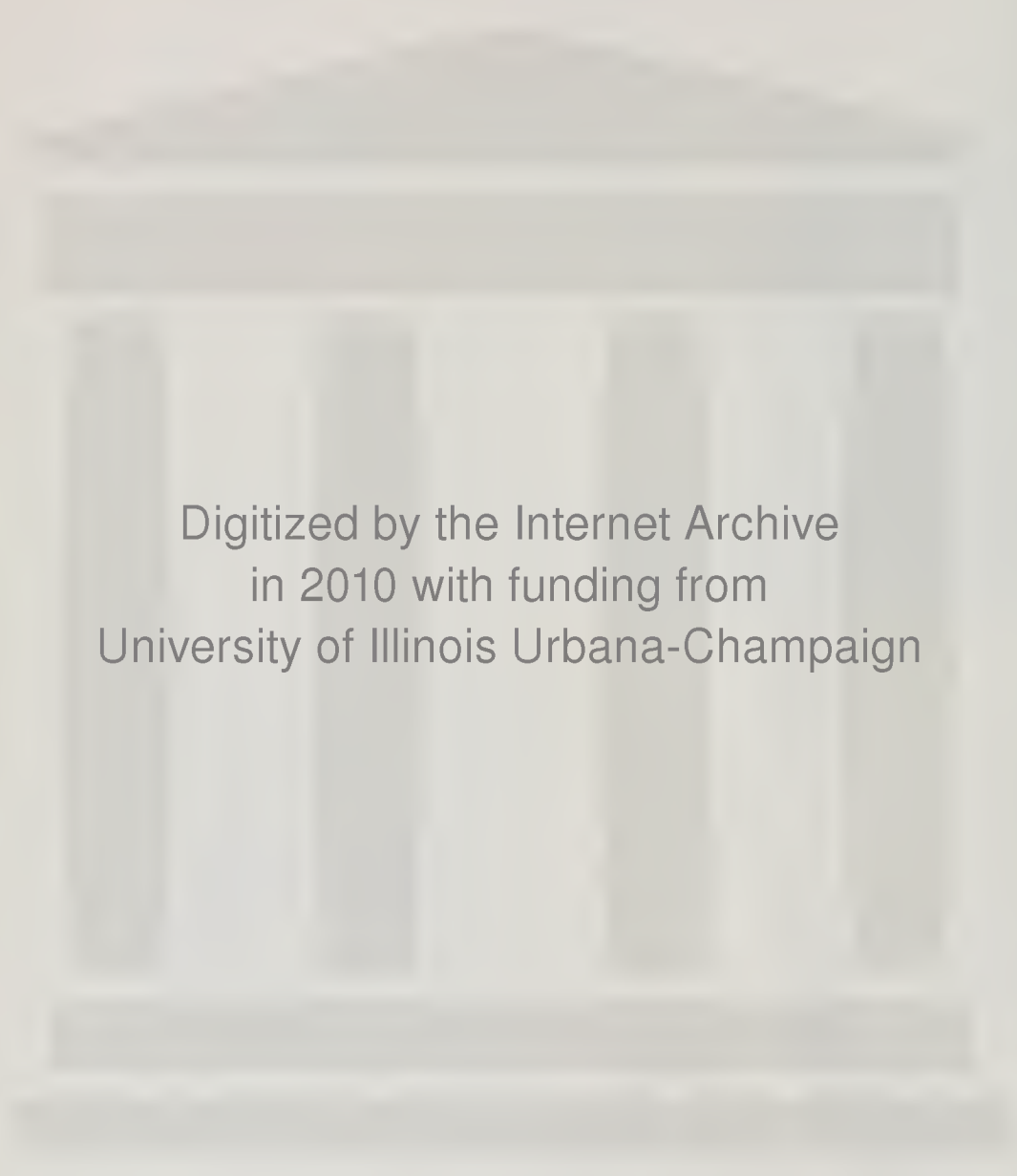
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**HOME RULE IN U.S. MUNICIPALITIES AND COUNTIES, AND
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by

Nan C. Burg, Librarian
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HOME RULE IN U. S. COUNTIES

GENERAL

As of November 1972 the following counties had home rule charters:

ALASKA: Greater City of Sitka, Greater Juneau Borough

CALIFORNIA: Alameda, Butte, Fresno, Los Angeles, Sacramento,
San Bernardino, San Diego, San Francisco, San Mateo,
Santa Clara, Tehama

COLORADO: Denver

FLORIDA: Dade, Jacksonville-Duval, Volusia

GEORGIA: Columbus-Muscogee

HAWAII: City and County of Honolulu, Hawaii, Kauai, Maui

KENTUCKY: Fayette County-Lexington

LOUISIANA: Baton Rouge-East Baton Rouge, Jefferson

MARYLAND: Anne Arundel, Baltimore, Harford, Howard,
Montgomery, Prince George's, Wicomico

MISSOURI: Jackson, St. Louis

NEW MEXICO: Los Alamos

NEW YORK: Broome, Dutchess, Erie, Herkimer, Monroe, Nassau,
Niagara, Oneida, Onondaga, Orange, Rensselaer, Schenectady,
Suffolk, Tompkins, Westchester

OREGON: Hood River, Lane, Multnomah, Washington

TENNESSEE: Nashville-Davidson

WASHINGTON: King

(Information received from New County Center, National Association
of Counties, Washington, D.C.).

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HOME RULE IN PENNSYLVANIA

Until recently in the Commonwealth of Pennsylvania "home rule" power was granted only to Philadelphia, a City of the First Class, under the Constitution of Pennsylvania; Philadelphia operates under Home Rule Charter of 1951, as amended.

Act 399 of 1957, "Optional Third Class City Charter Law," (P.L. 901) gave Third Class Cities the right to change their municipal government to Mayor-Council, Council-Manager, or to retain the Commission form. This has been interpreted by the Pennsylvania Supreme Court as granting home rule powers to Third Class Cities. (*Greenberg v City of Bradford*, 432 Pa. 611, decided November 27, 1968). As of November 27, 1972 the following action has been taken by various municipalities:

Cities which have changed their form of government by adopting charters: Allentown (1970); Bethlehem (1962); Bradford (1964); Easton (1972); Erie (1962); Harrisburg (1970); Johnstown (1972); Lancaster (1966); Lockhaven (1972); Meadville (1968); Newcastle (1968); Oil City (1972); Sharon (1962); Titusville (1964); Wilkes-Barre (1968); Williamsport (1972); York (1962).

Cities which have elected charter commissions, but which have retained the Commission form of government: Altoona, Arnold, Beaver Falls, Butler, Carbondale, Chester, Clairton, Coatesville, Connellsville, Corry, Dubois, Duquesne, Farrell, Franklin, Greensburg, Hazelton, Jeannette, Lebanon, Lower Burrell, McKeesport, Monessen, Monongahela, Nanticoke, New Kensington, Pittston, Pottsville, Reading, Shamokin, Sunbury, Uniontown, Washington.

"On April 4, 1972 the General Assembly passed what may be for Pennsylvania municipalities the single most significant statute ever enacted in the history of the Commonwealth. Governor Milton Shapp signed the bill into law nine days later. Known as the Home Rule Charter and Optional Plans Law, the act (No. 62 of 1972) grants to every municipality in the state the capability to organize itself in order to meet the complex demands confronting local communities. While the mass media is likely to focus on activities at the federal level, most of the services essential to daily life are performed by local government.... Since the role they play is so vital in the everyday lives of all citizens, municipalities must have the organization and operational flexibility to perform the services expected of them in the 1970's. The Home Rule Charter and Optional Plans Law is a major step in the direction of providing municipalities with this capacity." (Dr. Joseph J. Karlesky, in Home Rule and Optional Plans.)

On Tuesday, November 7, 1972, Government Study Commissions were elected in 66 of the 69 communities where the question appeared on the ballot. In the first round of activity under the new Act 62, voter endorsement of home rule/optional plans was greater than 2 to 1. In the 69 questions, the state-wide total of votes was 553,837 Yes (69.7%) against 244,167 No (30.6%). Questions were approved in all but three communities. Detailed results of the voting may be found in the Department of Community Affairs Courier, Volume III, No. 25.

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